

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

CRAIG HENDRICKS)	CRIMINAL NO. 2004-05
)	
)	
v.)	
)	
)	
UNITED STATES OF AMERICA)	
)	
Defendant.)	
_____)	

**GOVERNMENT’S REQUEST FOR ADDITIONAL TIME TO RESPOND TO
DEFENDANT’S MOTION TO CORRECT, VACATE AND/OR SET ASIDE SENTENCE
AND CONVICTION PURSUANT TO TITLE 28 U.S.C. § 2255**

Comes Now, the United States of America, by and through the United States Attorney Ronald W. Sharpe, and the undersigned counsel, and hereby request an additional 14 days in which to file its response to defendants’ motion to vacate his sentence pursuant to 28 U.S.C. § 2255.

On April 18, 2011, the Court ordered the Government to file a response to defendants’ motion to vacate his sentence within 60 days. As a result, the governments’ response is due June 17, 2011. However, the government is unable to respond the first two issues raised in defendants’ motion at this time. The first two issues raised a concern about the level of legal advise Attorney Andrew Capdeville gave the defendant, prior to trial. The undersigned contacted Atty. Capdeville about the issue and he has agreed to furnish a declaration detailing the level and character of the advise the defendant received. The undersigned furnished a draft of a declaration to Atty. Capdeville. Atty. Capdeville then advised the undersign, that he would like to make some additions to the draft. However, as a result of his schedule and the on going power issues, Atty. Capdeville has not been able to complete the revision.

Therefore, the Government request an additional fourteen (14) days to respond.

RONALD W. SHARPE
UNITED STATES ATTORNEY

Dated: June 17, 2011

By: /s/Ishmael A. Meyers, Jr.
Ishmael A. Meyers, Jr.
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 17, 2011, I electronically filed the foregoing Government's Request for Additional Time to Respond Defendants' Motion to Correct, Vacate and/or Set Aside Sentence and Conviction Pursuant to Title 28 U.S.C. § 2255 with the Clerk of the Court using the CM/ECF System and Craig Hendricks, Reg. No. 01904-094, was served by U.S. certified mail, return receipt, to USP Lompoc, 3901 Klein Blvd, Lompoc, CA 93436.

By: /s/Ishmael A. Meyers, Jr.
Ishmael A. Meyers, Jr.
Assistant United States Attorney

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS/ST. JOHN**

CRAIG HENDRICKS)	CRIMINAL NO. 2004-05
)	
)	
v.)	
)	
)	
UNITED STATES OF AMERICA)	
)	
Defendant.)	
_____)	

ORDER

HAVING CONSIDERED the Government's Request for Additional Time to Respond Defendants' Motion to Correct, Vacate and/or Set Aside Sentence and Conviction Pursuant to Title 28 U.S.C. § 2255,

IT IS ORDERED that said motion be GRANTED; and it is further

ORDERED that the Government shall have an additional fourteen (14) days to respond.

SIGNED this ____ day of _____, 2011.

RUTH MILLER
MAGISTRATE JUDGE

ATTEST:

WILFREDO F. MORALES
Clerk of the Court

By: _____
Deputy Clerk